

WARRICK COUNTY COUNCIL MEETING  
COMMISSIONERS MEETING ROOM  
Boonville, Indiana  
October 3, 2013  
6:00 P.M.

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana.

Council President, Gary Meyer called the meeting to order.

Pledge of Allegiance

Roll Call

Gary Meyer: Roll Call.

Krystal Powless: Gary Meyer?

Gary Meyer: Here

Krystal Powless: Charlie Christmas?

Charlie Christmas: Yes

Krystal Powless: David Hachmeister?

David Hachmeister: Here

Krystal Powless: Allan Holweger?

Allan Holweger: Here

Krystal Powless: Brad Overton?

Brad Overton: Here

Krystal Powless: Greg Richmond?

Greg Richmond: Here

Krystal Powless: Paul Rudolph?

Paul Rudolph: Present

**Approval of Minutes**  
**September 5, 2013 Regular Minutes**

Gary Meyer: Okay, Approval of Minutes of the September 5<sup>th</sup>, 2013, Regular Meeting.

Allan Holweger: I'll make a motion to approve.

Charlie Christmas: I'll second the motion.

Gary Meyer: Motion made by Al and seconded by Charlie to approve the minutes. Any discussion?

Paul Rudolph: Not a lot of minutes to discuss.

Gary Meyer: No there wasn't, you're right. Hopefully this one will be too. All those in favor? Opposed? Motion carried seven (7), zero (0).

**TABLED ITEMS**

**Superior Court I Business**  
**Additional Appropriation**

Superior I	1000-111-4189.00	Pauper Documents	\$7,000.00
<b>Total Superior I</b>			<b>\$7,000.00</b>

Gary Meyer: Okay, item two (2) has been withdrawn.

**NEW BUSINESS**

**EMS Business - Update**

Gary Meyer: EMS Business. Good evening.

Pat Rauscher: Pat Rauscher, Warrick EMS with the August 2013 EMS Report. We had three hundred fifty four (354) total ambulance runs in August, one hundred eighty four (184) of those to local hospitals, fifty seven (57) refusals, forty three (43) hospital transfers, twenty eight (28) in the other categories and forty two (42) private runs. All of our Customer Satisfaction Surveys for August were satisfactory. We had a ninety nine percent (99%) success rate for our fractual response times.

Greg Richmond: I've got a question on refusals are being charged for those?

Pat Rauscher: We're still working on that. We're trying to get all of the...there was some contract amendment the

commissioners asked for and we're working to get that taken care of.

Greg Richmond: Alright, the reason I'm asking my wife is a school nurse and if we call an ambulance we've got to figure out who's going to be liable.

Pat Rauscher: Gotcha, we're real close with that, we're just finishing contract and stuff and I hope by next month we'll have it all squared away and get starting use that process. Slowly but we're getting there.

Paul Rudolph: They could always exempt public entities, Greg. Hey, Greg...they could exempt public entities if they wanted.

Greg Richmond: That would be fine.

Paul Rudolph: We could suggest that to them.

Pat Rauscher: We could look...I mean, I think we're just looking at some of the things like we talk about vehicle accidents, you know you're not sure who's calling for that so...we can look at that.

Greg Richmond: Our concern is she's school nurse but she's not in every school, she has three (3) schools she serves, one (1) school each day and she's always told whoever is there can...if there's ever any doubt it looks like...

Pat Rauscher: Call to be safe. I'll make a note and we can...and I'm sure some of this we'll tweak over time I've got a feeling because I think it's a new thing for the area but we'll put that on here. Any question on the stats or were you ready for the Financial Report?

Gary Meyer: I think we're ready.

Pat Rauscher: Okay, Financials for the month of August, we were three thousand fifty four dollars and seventy eighty cents (\$3,054.78) under budget for the collects. For the year however we're still sitting at one hundred twenty four thousand nine hundred dollars and ninety one cents (\$124,900.91) over. Expense wise for the month we were thirteen thousand five hundred eighty eight dollars and seventy seven cents (\$13,588.77) under budget putting us for the year at one hundred fifty five thousand three hundred twelve dollars and sixty three cents (\$155,312.63) under budget for the yearly expenses. Questions?

Gary Meyer: Keep it going.

Pat Rauscher: Alright, we'll try.

Gary Meyer: Anybody have any questions?

Allan Holweger: I would just...you're doing a great job and we appreciate it.

Pat Rauscher: Thank you very much. Yeah, I've got a good crew over there. Alright, you guys have a great night, thank you.

Gary Meyer: Thank you.

Allan Holweger: Thanks.

**Superior Court II Business**  
**Additional Appropriation**  
Superior Court I                      1000-111-4392.00                      Law Books                      \$5,000.00  
**Total Superior Court I                      \$5,000.00**

Gary Meyer: Item four (4) has been withdrawn.

**Economic Development Business**  
**Tax Phase In Compliance - North American Lighting**

Gary Meyer: Okay, Economic Development, Tax Phase In Compliance, North American Lighting.

Larry Taylor: North American Lighting, I...

Gary Meyer: Who are you by the way?

Larry Taylor: I'm Larry Taylor; I'm the Economic Development Director.

Gary Meyer: You're still Larry Taylor?

Larry Taylor: Still am and I did not advise them that we were going to have this tonight so there's nobody here from the company? I can certainly go over it and answer any questions but if you'd like to table it we could table it until we can have somebody from the company here. They essentially are in compliance and over their investment was more than they said they were going to do and their employment was over a three (3) year period and they're right on track for the employment and they're paying I believe it's about two dollars (\$2.00) an hour over what they had put into the plan.

Paul Rudolph: Is there a reason for the two dollar (\$2.00) an hour over expected?

Larry Taylor: Well, they're hiring some pretty skilled...their machinist and they're looking for some skilled machinists, that's one (1) reason why they came to the area and so I know that they've had pretty much ads in the paper constantly for the last year where they're looking for machinists and to hire people.

Gary Meyer: Anybody want to make a motion?

David Hachmeister: I would like to see them here but they're in compliance so I'd make a motion to approve.

Allan Holweger: Second.

Gary Meyer: Motion made by David and seconded by Al or...?

Allan Holweger: Yep, Al.

Gary Meyer: Okay, to approve. All those in favor? Opposed? Motion carried six (6), one (1). (Nay: Gary Meyer).

Krystal Powless: And the one (1)?

Gary Meyer: Me.

Charlie Christmas: I was wondering who the one (1) was.

### **Economic Development Business**

#### **Tax Phase In Compliance - Newburgh Property Management, LLC or Leo Brown Group**

Larry Taylor: The other one we have is it's under Newburgh Property Management which Leo Brown Group was the developer on that but the business name is Hamilton Pointe; it's the new continuing care retirement community that's down off of State Route 66, right at 164. That one also...on the forms they had said that they had planned to be at one hundred sixty nine (169) employees but they're at one hundred eighty eight (188) but as we sit today Christina Malvern, the Executive Director, tells me that there are over two hundred (200) employees and approximately fifty percent (50%) of those are Warrick County residents. We have...when they're interviewing people they do take into consideration if they're from Warrick County or not. The salaries are a slightly...more than slightly over...they were planned to be twelve dollars and sixty cents (\$12.60) and they're up at nineteen dollars (\$19.00) and so I assume that that has to do with...Christina's here, we can talk to her about that but I assume that has to do with the mix of people that they're bringing in, the skilled labor that they offer. But that's good so they're certainly over on that. Their investment was seventeen million nine hundred eighty eight thousand dollars (\$17,988,000.00) versus a plan of fifteen million nine hundred fifty one (\$15,951,000.00) so they exceeded the investment. So really they're in compliance, they've had normal start-up difficulties and everything else like any other business but it's my understanding that things are going real well now. We have Christina Malvern is the Executive Director in charge of the facility here. Can you give them an update on how it's going?

Christina Malvern: Yes, my name is Christina Malvern, I'm the Executive Directive at Hamilton Pointe, and it's nice to meet all of you. Actually things are growing very fast at Hamilton Pointe. That's why we're up to two hundred (200) employees now when we...what did we predict one hundred eighty (180) something at this time so...and like he said about fifty percent (50%) of those are from Warrick County. So, everything is going right as planned, actually a little faster so if you have anybody that's a nurse have them come down and apply. Do you have any questions or...?

Unknown Speaker: How is your occupancy?

Christina Malvern: Our occupancy, we're actually at what we were budgeted for for the end of the year so we're about three (3) months ahead of schedule.

Allan Holweger: Well, it's a beautiful facility.

Christina Malvern: Well, thank you, we're very proud of it, I'm glad to have it for the community.

Allan Holweger: We're glad to have you here.

Christina Malvern: Thank you.

Allan Holweger: I'll make a motion to approve.

Gary Meyer: Motion made by Al and seconded by...?

Paul Rudolph: Paul.

Gary Meyer: Paul to approve. All those in favor? Opposed? Motion carries six (6), one (1). (Nay: Gary Meyer)

Paul Rudolph: Who's the one (1)?

Larry Taylor: Thank you.

Gary Meyer: Thank you. Do you want me to tell you who the one (1) is?

Krystal Powless: I think we know (Gary Meyer).

### **Treasurer Business**

#### **Ordinance - Real Estate Tax Procedures and Agreements**

Gary Meyer: Treasure Business, Ordinance, Real Estate Tax Procedures and Agreements. I think you got that...

Greg Granger: I believe that's being withdrawn from tonight's meeting.

Gary Meyer: Okay.

Krystal Powless: But she does want me to add it to November.

Greg Granger: Correct.

Gary Meyer: Okay.

Greg Richmond: Should we table it?

Allan Holweger: Yep.

Greg Richmond: Rather than withdraw it?

Greg Granger: Well, it's not introduced yet so...

Krystal Powless: It's not been introduced.

**Storm Water Business  
Transfer**

Transfer From:	1197-000-4450.00	Projects	\$5,000.00
Transfer To:	1197-000-4221.00	Fuel	\$5,000.00

Gary Meyer: Storm Water Business, Transfer, Transfer from Projects five thousand dollars (\$5,000.00) transfer to Fuel five thousand dollars (\$5,000.00).

Brent Wendholt: Brent Wendholt, Storm Water Director, the main reason behind it is because last year Bobby's pick-up, who was the Storm Water Director, with him being the Engineer it came out of Highway Funds. This year we've changed it to help the Highway Department. I'm paying for my gas and my pick-up so it's added up, just wrote the five thousand (\$5,000.00) is what we think we're going to need to finish out the year.

Allan Holweger: How many vehicles?

Brent Wendholt: Three (3) and two (2) pieces of equipment.

Allan Holweger: I make the motion that we transfer the five thousand (\$5,000.00).

Paul Rudolph: Second.

Gary Meyer: Motion made by AI and seconded by Paul to approve. Any further discussion? All those in favor? Opposed? Motion carried seven (7), zero (0).

Brent Wendholt: Thank you.

Gary Meyer: Thank you.

Allan Holweger: Thank you.

**Other Business**

Gary Meyer: Okay, anybody from the audience like to address the council? Are we going to look at this form we just got tonight?

Greg Granger: That's your decision...

Allan Holweger: I think we want to talk...I think we need to discuss it a little more.

Paul Rudolph: What document are we talking about?

David Hachmeister: On our page, is it zero five (05)?

Greg Granger: It would be zero five (05), yeah.

Gary Meyer: This is the Rainy Day Fund.

Allan Holweger: I thought we were talking doing that for three (3) years.

Greg Richmond: I make the motion that we introduce it...

Gary Meyer: Motion made by Greg to introduce Ordinance 2013-06. Is there a second?

David Hachmeister: Yes, Sir.

Gary Meyer: And seconded by David. All those in favor? Opposed? Okay, motion carried seven (7), zero (0).

WARRICK COUNTY ORDINANCE NO. 2013-0 6

WHEREAS, on the 6<sup>th</sup> day of November, 2003, the Warrick County Council by Ordinance No. 2003-02, established a Rainy Day Fund pursuant to IC 36-1-8-5.1.

WHEREAS, said Ordinance was amended by Warrick County Council Ordinance 2004-01;

WHEREAS, House enrolled act 1145 Section 1, effective July 1, 2013 amended IC 36-1-8-5.1 which allows the transfer of unobligated cash balances from any fiscal year to the Rainy Day Fund;

NOW THEREFORE, be it ordained by the County Council of Warrick County, Indiana, The Council approves, ratifies and confirms the transfer of the sum of \$300,000.00 from the County Economic Development Income Tax Fund for 2013 to the Rainy Day Fund.

THIS ORDINANCE SHALL BE IN FULLFORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND EXECUTION BY THE WARRICK COUNTY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

WARRICK COUNTY COUNCIL

\_\_\_\_\_  
Gary Meyer, President

\_\_\_\_\_  
Greg Richmond

\_\_\_\_\_  
Charles R. Christmas

\_\_\_\_\_  
Brad Overton

\_\_\_\_\_  
David Hachmeister

\_\_\_\_\_  
Alan Holweger

\_\_\_\_\_  
Paul Rudolph

ATTEST:  
\_\_\_\_\_  
L. B. Dugan, Auditor  
Warrick County, Indiana

Gary Meyer: What this essentially does I think it just moves three hundred thousand (\$300,000.00) from Economic Development to our Rainy Day Fund. Isn't that correct?

Krystal Powless: Correct.

Allan Holweger: Were we talking about doing it more than one (1) year though Gary? Are we just doing it...each year we'll do something?

Gary Meyer: Yeah.

Allan Holweger: Okay, gotcha. Need a motion?

Greg Granger: You'd have to suspend the rules if you're going to adopt it tonight.

Gary Meyer: Right, if you want to make a motion to suspend the rules and then we can adopt it tonight. If you don't want to make that...that has to be unanimous vote too.

David Hachmeister: So moved. That's a motion.

Gary Meyer: Okay, motion made by David to suspend the rules. Is there a second?

Charlie Christmas: I'll second it.

Gary Meyer: And seconded by Charlie to suspend the rules to vote on this tonight. All those in favor of suspending the rules? Opposed? Motion is denied so we'll vote on that next meeting.

Krystal Powless: What was the vote on this?

Gary Meyer: Six (6), one (1). (Nay: Paul Rudolph)

Charlie Christmas: Six (6), one (1), Paul.

Krystal Powless: Okay, so it'll come next meeting.

Gary Meyer: It'll come back next month.

Krystal Powless: Okay.

Paul Rudolph: So, just to be clear, I can still change my vote I just would like to discuss our long term plan for whether or not we would intend on doing this annually, whether we'd like this to be more of a onetime shot in the arm regarding...do we want to just put in, you know, say a bigger number and do it once and then say, 'you know what we'd like to be self sufficient and not use that fund going forward', um, I just would like us to sort of come up with a discussion on that matter. Plus, I mean, we couldn't have a world record council meeting so I figured I'd give us something to talk about.

Allan Holweger: Well, I don't think we can take anymore than what we're doing at one (1) time cause that would just be devastating to them with what the thing that they've got in the pipeline right now so that's why we...I think we need to just do the three hundred (\$300,000.00) this year and then look and see what happens with what's in the pipe line for next year and with some of the stuff that they've got they may need...I think we look at it next year, if we can take more if everything doesn't come through but if some of their stuff comes through we may not want to touch it. But this will give a shot in the arm to balance us out a little more with what we've got already.

Paul Rudolph: So has anyone talked to Larry about this subject?

Krystal Powless: No.

Paul Rudolph: I'd also sort of like to get his feedback on it.

Krystal Powless: He's not going to be thrilled about it.

Paul Rudolph: Well I...the question is how 'unthrilled' is he going to be, right?

Krystal Powless: I mean he wasn't thrilled about the Park Supplemental...

Gary Meyer: He wasn't thrilled about the Parks Department.

David Hachmeister: There's enough money there.

Allan Holweger: It's just something that has to be done for us so we have a cushion if not we don't do it then we're in trouble so...

Greg Richmond: The avenue the state gave us...

Gary Meyer: The new avenue...that's right.

David Hachmeister: That's exactly what it is Greg.

Allan Holweger: And that's what it's for so we need to use it so we're...just in case we have a storm...we have a lot of ice storms this winter, things come up and everything it could devastate us cause we won't have any money to buy salts, to run overtime or anything so we need to put something in our rainy day fund just for a back up.

Greg Richmond: Have you read about the trial?

David Hachmeister: A murder trial, that's what I was about to bring up, Greg.

Greg Richmond: How much it's costing them...

David Hachmeister: Seven point one million (\$7,100,000.00) so far.

Paul Rudolph: Well, and that's my questions...I wouldn't...I don't disagree that it might be a good idea to put something in, the part I'm not sold on is how we come up at three hundred (\$300,000.00) and whether or not that's the right number, it's too low, it's too high, um...

Allan Holweger: Any number you come up with is going to be...we're going to have different opinions so...

Paul Rudolph: Well, but that's what the council's here for, to have seven (7) different opinions on it so the idea is we get a negotiation agreement, I might say a million (\$1,000,000.00) you might say fifty thousand (\$50,000.00) and then we come up with three hundred thousand (\$300,000.00) that's what the Council's all for but I actually think this would be a rather substantive conversation considering this is the first time we did it. Call me crazy but, I mean, that's just what I'm thinking, I've been called worse. Like personally, I actually agree entirely.

David Hachmeister: I'll make a motion for that.

Krystal Powless: To call him crazy?

Gary Meyer: To call him crazy?

Laughter

Paul Rudolph: I set myself up for that one.

Gary Meyer: Yes you did.

David Hachmeister: And I didn't get a second.

Allan Holweger: Yeah you did, Charlie...

David Hachmeister: Okay.

Gary Meyer: I think you got several seconds.

Paul Rudolph: Thirds, fourths...

Allan Holweger: Ah, that's funny.

Gary Meyer: I think...I don't know if this number was picked out of the air or what but it was a start.

Paul Rudolph: And what's...and I agree it is a start but I would like to just sort of, I mean, you guys know me...

Gary Meyer: I think we should do it each year. I'm not in favor of a long term deal, we may not need it next year in there

and so we may not take it out of there but like I say it has given us...the State's given us the opportunity this time of replenishing the rainy day fund which we have a hard time replenishing.

Greg Richmond: The statute would allow us to take out more than what this number is. And...

Paul Rudolph: The statute allows us to take out how much?

Gary Meyer: Ten percent (10%) of the budget.

Greg Richmond: I'm on Economic Development Advisory Committee; we have some projects in the pipeline that we don't want to...

Allan Holweger: Short cut ourselves.

Greg Richmond: Short fall. So this was kind of a decent figure but yeah, it wouldn't hurt to talk to Larry but I don't think, of course if I were him I would be defensive...

Allan Holweger: Well, he's going to be upset no matter but we need to do it.

Gary Meyer: And this ten percent (10%), we can go up to ten percent (10%) of the budget...

Krystal Powless: I left it sitting on my desk, is it ten (10%) or fifteen (15%)?

Allan Holweger: Fifteen (15%).

Larry Taylor: It's ten percent (10%) of any fiscal year. The total budget for that fiscal year.

Allan Holweger: Our budget is fourteen million (\$14,000,000.00) so we're looking at one point four million (\$1,400,000.00) is the maximum we can take.

Paul Rudolph: Okay, but yeah, I definitely would like to get...

Greg Richmond: Apparently we can go back years too.

Paul Rudolph: I mean, if Larry...hopefully Larry would be able to say to us 'well, here's what I think I have going on right now, here's what I think is likely, here's what I would be willing to part with, maybe it's four hundred (\$400,000.00), maybe it's five hundred (\$500,000.00), maybe it's one point four (\$1,400,000.00)...

Allan Holweger: You got fever?

Paul Rudolph: I must, I would like it to be part of a discussion and...

Krystal Powless: I've had a discussion with Larry recently but not regarding this but about supplementing the Parks Department and he was adamant that they cannot afford to do that.

Paul Rudolph: They cannot afford...and how much did we give to the Parks?

Krystal Powless: It was like three hundred and twenty thousand dollars (\$320,000.00) I think was the discussion we had. It's right around three hundred thousand (\$300,000.00). And that was about three (3) weeks ago we had this discussion.

Paul Rudolph: So I'm guessing his view hasn't changed about additional three hundred (\$300,000.00)...

Krystal Powless: Yeah.

Paul Rudolph: I don't have any answers here; I'm just trying to ask questions.

Krystal Powless: And we did not increase the supplement for Parks.

Greg Granger: What's the one point four million (\$1,400,000.00), where does that number come from?

Gary Meyer: Isn't that ten percent (10%) of fourteen million (\$14,000,000.00)?

Larry Taylor: Fourteen millions (\$14,000,000.00) the county budget?

Gary Meyer: Yes.

Larry Taylor: Okay.

Brad Overton: So that's another thing, it's not a one (1) time; twelve (12) month period so if we did actually need to come back, even if there was some kind of catastrophe...

Krystal Powless: And there's other funds you can look at too aside from, I mean there's just not very many funds that have a reserve.

Paul Rudolph: And again, I don't have necessarily a strong opinion of this, I'm really looking for...

Charlie Christmas: Controversy.

Laughter

Paul Rudolph: Conversation on the subject.

Allan Holweger: That was good.

Paul Rudolph: I'd prefer not controversy.

Gary Meyer: I think...myself I would be in favor of the three hundred (\$300,000.00) at this point. And then next year we can re-examine it, see what happens next year, if the state comes and gives us a lot more money than they have been able to do in the past or willing to do in the past, we don't have to take any.

Paul Rudolph: And what's our rainy day at? Ballpark?

Gary Meyer: It used to be a million (\$1,000,000.00) or something.

Paul Rudolph: So, I mean, without it having four (4) to five (5) times what we have in our rainy day I'd rather go higher personally. Is anyone else interested in going higher?

Charlie Christmas: No.

David Hachmeister: Well, I know one of the things Larry is interested in as far as keeping the money there for a couple of projects coming up that we need to have a budget available.

Allan Holweger: We're stretching, especially with things he's got coming up, I don't want to...

Paul Rudolph: Well, and again I'd also like to see it as a onetime shot in the arm and now that we're physically solvent we wouldn't do it anymore.

Allan Holweger: Well, we'd have to review it each year.

Charlie Christmas: You've got to review it each year.

Allan Holweger: You've got to review it each year cause we don't know what the State's going to do each year so we just review it each year. Hopefully we won't have to but you never know.

Krystal Powless: One point five (\$1,500,000.00).

Gary Meyer: One point five (\$1,500,000.00). Any more discussion?

Paul Rudolph: So...I mean...I originally said no to just to have this conversation we just had. Do you guys want to do this today; do you guys want to talk to Larry? I'll take back my vote and say...we'll suspend the rules if we want to do it today. I would think it would be best to talk to Larry but...

Gary Meyer: I think since we've already voted it down let's just wait till next meeting. Let's do it right here.

Brad Overton: At least we can just run this by him and give him a heads up.

Krystal Powless: Yeah, I'll send...I will do that.

**Adjournment**

Gary Meyer: Anything else to come before the council.

David Hachmeister: Senior Citizens dinner...

Gary Meyer: I almost had it down.

David Hachmeister: Got to get it one more time, it'll be the last time this year.

Gary Meyer: I know, that's right.

David Hachmeister: October 12<sup>th</sup>. 4:30-6:00, I've got tickets. Motion to adjourn.

Charlie Christmas: Second.

Gary Meyer: Meeting is adjourned.

\_\_\_\_\_  
Gary Meyer, D.D.S., President

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Greg Richmond, Vice President

\_\_\_\_\_  
David Hachmeister

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Brad Overton

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Allan Holweger

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Charles R. Christmas

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Paul Rudolph

ATTEST:

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L.B. "Dixie" Dugan, Auditor